Registered Agent • Director • Incorporation

Corporate Creations Network Inc.

11380 Prosperity Farms Road #221E, Palm Beach Gardens, FL 33410

February 24, 2015

KLX Energy Services LLC Claire Dumas Esq. KLX Inc. 1300 Corporate Center Way WELLINGTON FL 33414

# SERVICE OF PROCESS NOTICE

The following is a courtesy summary of the enclosed document(s). ALL information should be verified by you.

Note: Any questions regarding the substance of the matter described below, including the status or to whom or where to respond, should be directed to the person set forth in line 12 below or to the court or government agency where the matter is being heard.

1.	Client Entity:	KLX Energy Services LLC				
2.	litle of Action:	: Isabel Riso and Jose Rocha vs. Corey Lee Boyce and KLX Energy Services, LLC f/k/a BEA Logistics Sercices, LLC				
3.	Document(s) Served:	Citation Plaintiff's Original Petition				
4.	Court/Agency:	Atascosa County 81st -	218th District Courts			
5.	State Served:	Texas				
6.	Case Number:	15-02-0120-CVA				
7.	Case Type:	Negligence				
8.	Method of Service:	Certified Mail				
9.	Date Received:	Monday 2/23/2015				
10.	Date to Client:	Tuesday 2/24/2015				
11.	# Days When Answer Due:	20	<b>CAUTION</b> : Client is solely responsible for verifying the accuracy of	the estimated Answer Due		
	Answer Due Date:	3/15/2015	Date. To avoid missing a crucial deadline, we recommend immedia with opposing counsel that the date of service in their records match	tely confirming in writing hes the Date Received.		
12.	SOP Sender: (Name, Address and Phone Number)	Allan, Nava & Glander, San Antonio, TX 210-305-4220	PLLC			
13.	Shipped to Client By:	Email Only with PDF Lir	nk			
14.	Tracking Number:	Not Applicable				
15.	Handled By:	441				
16.	Notes:	None				

NOTE: This notice and the information above is provided for general informational purposes only and should not be considered a legal opinion. The client and their legal counsel are solely responsible for reviewing the service of process and verifying the accuracy of all information. At Corporate Creations, we take pride in developing systems that effectively manage risk so our clients feel comfortable with the reliability of our service. We always deliver service of process so our clients avoid the risk of a default judgment. As registered agent, our role is to receive and forward service of process. To decrease risk for our clients, it is not our role to determine the merits of whether service of process is valid and effective. It is the role of legal counsel to assess whether service of process is invalid or defective. Registered agent services are provided by Corporate Creations Network Inc.

## CITATION BY CERTIFIED MAIL

TRC 106 Cause No. 15-02-0120-CVA

ISABEL RISO AND JOSE ROCHA -VS-	§	IN THE 81ST-218TH DISTRICT COURTS
COREY LEE BOYCE AND KLX ENERGY SERVICES, LLC F/K/A BEA LOGISTICS SERCICES, LLC	§	OF
	§	ATASCOSA COUNTY, TEXAS

#### THE STATE OF TEXAS

TO: KLX ENERGY SERVICES LLC F/K/A BEA LOGISTICS SERVICES LLC , BY SERVING ITS REGISTERED AGENT CORPORATE CREATIONS NETWORK INC AT: 4265 SAN FELIPE, SUITE 1100, HOUSTON, TX 77027, Defendant- GREETING

NOTICE TO DEFENDANT: "You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 am on the Monday next following the expiration of 20 day after the date you were served this citation and petition, a default judgment may be taken against you." TRCP. 99

You are hereby commanded to appear by filing a written answer to the Plaintiff's PLAINTIFF'S ORIGINAL PETITION, at or before 10:00 o'clock A.M. on the Monday next after the expiration of 20 days after the date of service of this citation, before the Honorable 81ST-218TH DISTRICT COURTS Court of Atascosa County, Texas, at the Courthouse in said County in Jourdanton, Texas. Said Plaintiff's PLAINTIFF'S ORIGINAL PETITION, was filed in said court on the 18th day of February, 2015 in the above entitled cause.

The nature of Plaintiff's demand is fully shown by a true and correct copy of Plaintiff's PLAINTIFF'S ORIGINAL PETITION, accompany this citation and made a part hereof.

Issued and given under my hand and seal of said Court at Jourdanton, Texas this 18th day of February, 2015.

Attorney for Plaintiff or Plaintiff

ATA COUNTY HER SAN ANTONIO, TX 78218

Clerk of the Court:

MARGARET E. LITTLETON,

DISTRICT CLERK

Atascasa County

ASHLEY SEGURA, DEPUTY

## OFFICER'S RETURN

ISABEL RISO AND JOSE ROCHA -VS-COREY LEE BOYCE AND KLX ENERGY SERVICES, LLC F/K/A BEA LOGISTICS SERCICES, LLC CAUSE #15-02-0120-CVA
IN THE 81ST-218TH DISTRICT COURTS
OF
ATASCOSA COUNTY, TEXAS

NAME AND ADDRESS FOR LLC F/K/A BEA LOGISTICS 4265 SAN FELIPE, SUITE 1	SERVICES LLC KLX EN	ERGY SERVICES		
HOUSTON, TX 77027	100			
Came to hand on the	day of	, 20, at	, o'clock named defendants in pe	m., and executed in rson, a true copy of this
Citation with the date of delive PETITION, at the following to	ery endorsed thereon, tog	gether with the accompar	nying copy of the PLAINT	TIFF'S ORIGINAL
Name	Date/Time	Place, Course and	Distance from Courthous	e
And not executed as to the d	lefendant(s),			_
The diligence used in finding	said defendant(s) being:			
and the cause or failure to e	xecute this process is:			
and the information received	as to the whereabouts of	f said defendant(s) being		
FEES:			, Officer	
FEES: Serving Petition and Copy Total	\$			
		Ву:	, Deputy	
	-	Affiar	nt	
In accordance with Rule 107. The signature is not required court, the return shall be signature.	7: The officer or authorized to be verified. If the returned under penalty of perjudent	d person who serves, or a furn is signed by a person fury and contain the follow	attempts to serve, a citat other than a sheriff, cons ving:	ion shall sign the return.
My name is(First, Middle	, Last) my date of	birth is	_, and my address is	
(Street, City, Zip) I DECLARE UNDER PENAL Executed in	_TY OF PERJURY THAT _County, State of	THE FOREGOING IS TI	RUE AND CORRECT.	
		Declarant/Authori	zed Process Server	

(Id # & expiration of certification

CAUSE NO	150	2-0120-CVA
ISABEL RISO and	§	IN THE DISTRICT COURT
JOSE ROCHA	§	
Plaintiffs,	§ §	218th JUDICIAL DISTRICT
v.	§ §	JUDICIAL DISTRICT
COREY LEE BOYCE and	§	
KLX ENERGY SERVICES, LLC	§	
F/K/A BEA LOGISTICS SERVICES, LLC	§ §	
Defendants.	§	ATASCOSA COUNTY, TEXAS

#### PLAINTIFFS' ORIGINAL PETITION

#### TO THE HONORABLE COURT:

NOW COME ISABEL RISO and JOSE ROCHA ("Plaintiffs"), complaining of COREY LEE BOYCE and KLX ENERGY SERVICES, LLC (KLX), F/K/A BEA LOGISTICS SERVICES, LLC, and for cause of action would respectfully show:

## I. DISCOVERY CONTROL PLAN

Plaintiffs intend for discovery to be conducted under Level II because under the facts known at this time, Plaintiffs seek monetary relief over \$200,000.00, but not more than \$1,000,000.00.

### II. PARTIES

Plaintiff, ISABEL RISO, is an individual who resides in Jourdanton, Atascosa County, Texas.

Plaintiff, JOSE ROCHA, is an individual who resides in Jourdanton, Atascosa County, Texas.

Defendant, COREY LEE BOYCE, is an individual who resides in Washington, Texas and may be served with process at the following address: 709 Sabine St., Brenham Texas MARGARET E. LITTLETON, DISTRICT CLERK Plaintiffs' Original Petition

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77833-3362, USA or wherever he shall be found. Service of said Defendant can be effected through the Court via private process. Request is hereby made for issuance of citation.

Defendant, KLX ENERGY SERVICES, LLC, F/K/A BEA LOGISTICS SERVICES, LLC, hereinafter referred to as KLX, is a foreign company conducting business in Texas and may be served with process by serving its registered agent, Corporate Creations Network, Inc. by registered mail at 4265 San Felipe, Suite 1100, Houston, Texas 77027-0000, USA. Plaintiffs request that the Clerk issue service to KLX by certified mail at this time.

#### III. VENUE

Venue is proper in Pleasanton, Atascosa County, Texas because all or a substantial part of the events or omissions giving rise to Plaintiffs' claims occurred in Atascosa County. Tex. Civ. Prac. & Rem. Code § 15.002(a)(1).

As set forth below, this Court has jurisdiction over the subject matter of this suit and the matter in controversy is within the jurisdictional limits of this Court.

#### IV. FACTS

On or about March 28, 2014, Plaintiffs were traveling west on Oaklawn in Pleasanton, Atascosa County, Texas, when suddenly and without notice, Boyce in a careless and negligent manner, struck the left side of Plaintiffs' vehicle, resulting in serious and permanent injuries to Plaintiffs. The owner of the vehicle at the time of the collision was KLX and it employed or otherwise supervised Boyce. Accordingly, KLX was responsible for ensuring its and its employees compliance with all applicable laws, rules, and regulations.

## V. CAUSES OF ACTION

## A. Negligence of Defendant Boyce

Plaintiffs incorporate by reference the allegations set forth above.

On the occurrence made the basis of this suit, Boyce owed a duty of care to Plaintiffs, being that of a reasonably prudent driver. Plaintiffs will show that Boyce was negligent and that their resulting injuries and damages were proximately caused by the negligence of Boyce, in one or more of the following ways:

- 1. In failing to keep a proper lookout such as a person of ordinary prudence would have kept under the same or similar circumstances;
- 2. In failing to keep an assured safe stopping distance;
- 3. In failing to timely apply his brakes in order to avoid the collision;
- 4. In failing to take evasive action in an effort to avoid the collision in question;
- In driving his vehicle at a rate of speed which was greater than which a person of ordinary prudence would have done under the same or similar circumstances;
- In failing to control his vehicle in a safe manner as a reasonable and ordinary prudent person would have done under the same or similar circumstances; or
- In failing to abide by, and to adhere to, applicable traffic laws, such as a
  person of ordinary care would have done under the same or similar
  circumstances.

Each of these acts and/or omissions, singularly or in combination with each other, constitutes negligence that proximately caused the occurrence made the basis of this action and Plaintiffs' injuries and damages.

## B. Negligence of Defendant KLX

Plaintiffs incorporate by reference the allegations set forth above.

On the occurrence made the basis of this suit, KLX owed a duty of care to Plaintiffs, being that of reasonably prudent company with adequate supervision over its agents and employees operating under the applicable laws, rules, and regulations. Plaintiffs will show that KLX was negligent in one or more of the following:

- 1. In failing to properly maintain the vehicle;
- 2. In permitting Defendant Boyce to operate the vehicle;
- 3. In hiring Boyce without ensuing he had the requisite qualifications to safely operate a vehicle used for transportation;
- 4. In failing to properly train, orientate, or supervise Boyce to safely operate a vehicle used transportation;
- In failing to properly ensure Johnson's compliance with applicable laws, rules, and regulations for the safe operation of a vehicle used for transportation; or
- 6. In entrusting Johnson to operate a vehicle for public transportation having reason to know that Johnson was an incompetent or reckless driver.

Each of these acts and/or omissions, in combination with each other, constitutes negligence that proximately caused the occurrence made the basis of this action and Plaintiffs' injuries and damages.

#### VI. VICARIOUS LIABILITY OF KLX

Plaintiffs incorporate by reference the allegations set forth above.

KLX is vicariously liable for the torts, negligence, and damages attributable to Boyce for one or more of the following reasons:

- Boyce was an employee, servant, or agent of KLX acting in the course and scope of his employment at the time of the collision;
- Boyce was employed and acting in furtherance of a mission for the benefit of KLX at the time of the collision;

- 3. Boyce was an agent of KLX acting with actual, express, implied, or apparent authority at the time of the collision; and
- KLX owned and maintained the vehicle Boyce was driving at the time of the accident and employed Boyce to operate the vehicle.

#### VII. DAMAGES

As a result of the negligent conduct of the Defendants, Plaintiffs suffered severe bodily injuries for which they seek damages as follows:

- The reasonable and necessary costs of medical care and treatment, including doctors, hospitals, nurses, medicines, and other services and supplies from the date of the incident to the time of the verdict herein;
- The reasonable and necessary costs of medical care and treatment, including doctors, hospitals, nurses, medicines, and other services and supplies which, in reasonable probability, will be incurred in the future, after the date of the verdict herein;
- 3. The physical pain, suffering and mental anguish sustained from the date of the incident to the time of the verdict herein;
- 4. The physical pain, suffering and mental anguish which, in reasonable medical probability, will be suffered after the date of the verdict herein;
- The physical disfigurement and impairment suffered to the time of the verdict herein;
- The physical disfigurement and impairment suffered after the date of the verdict herein; and
- 7. Past and Future Loss of wage earning capacity; and

Said damages are in excess of the minimum jurisdictional limits of this Court.

## VIII. REQUEST FOR DISCLOSURE

Defendants are requested to disclose within fifty (50) days of service of this request, the information or material described in Rule 194.2(a)-(l) of the Texas Rules of Civil Procedure.

## IX. JURY DEMAND

Plaintiffs demand a jury trial and tender the appropriate fee with this petition.

## PRAYER

WHEREFORE, Plaintiffs, ISABEL RISO and JOSE ROCHA request that Defendants COREY LEE BOYCE and KLX ENERGY SERVICES, LLC, F/K/A BEA LOGISTICS SERVICES, LLC, be cited to appear and answer, and that Plaintiffs have judgment against the Defendant for:

- 1. Damages aforementioned;
- 2. Prejudgment and postjudgment interest as provided by law;
- 3. Court costs;
- 4. Attorney fees where authorized; and
- 5. Such other and further relief general and special, legal and equitable relief to which Plaintiff may be entitled.

Respectfully submitted,

ALLAN, NAVA & GLANDER, PLLC

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By:

WILLIAM N. ALLAN, IV

State Bar No. 24012204

ATTORNEY FOR PLAINTIFFS

Files:Active:40008.0019 - Riso v. BEA Logistics Service:Pleadings:Petitions:POP.doc

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